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MAR 17 1992

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March 16, 1992

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Ms. Sherri V. Knight  
Groundwater Section  
Division of Environmental Management  
North Carolina Department of Environment,  
Health and Natural Resources  
8025 North Point Boulevard, Suite 100  
Winston-Salem, North Carolina 27106-3203

Re: Underground Storage Tank  
Ms. Louise Falk Property  
609 Woodland Drive  
Greensboro, North Carolina

Dear Ms. Knight:

This is in reference to the Notice of Violation dated March 9, 1992 concerning the captioned property, which was addressed to me and forwarded by certified mail. Upon receipt of the letter last week, I telephoned Mr. Tom Salley in your office to inform him that the middle paragraph of the second page of the NOV was in error and requested that the NOV be reissued. The paragraph on page 2 that is in error reads as follows:

"It is our understanding that you and/or your firm are responsible for violation of the Oil Pollution and Hazardous Substance Control Act. Therefore, you are considered as the party responsible for immediately undertaking clean-up of contamination and restoring the effected error."

Our firm is serving as counsel to Ms. Falk. We are not responsible for any violation of the Oil Pollution and Hazardous Substance Control Act, and we are not assuming

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responsibility for remediation at the site. We merely had an understanding with Mr. Salley that since Ms. Falk is older and lives alone and would probably be upset by the formality of an NOV, that it would be better for the NOV to be issued appropriately but mailed to me for delivery to Ms. Falk.

Would you please make the appropriate changes in the letter that incorporates the NOV, and reissue the letter. If it is confusing for the Division to issue the NOV to Ms. Falk and mail it to me, I suggest that you mail the NOV directly to Ms. Falk and send me a copy at the same time. Since we are assuming that the NOV will be reissued, we have not initiated the preparation of a 15-day response.

Thank you for your attention to this matter. I look forward to receiving either the original or a copy of the revised NOV in the very near future.

Very truly yours,

SMITH HELMS MULLISS & MOORE

A handwritten signature in cursive script, appearing to read "Harold N. Bynum".

Harold N. Bynum

HNB/dp

cc: Herbert S. Falk, Jr.